FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 568 OF 2007
IN
CRIMINAL APPEAL NO. 465 OF 2007

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. Manoj J. Bhatt for applicants.
Mr. A.S. Shitole, APP for State.

CORAM: B.H. MARLAPALLE,J.

20/07/2007.

P.C.:

1. Heard Mr. Bhatt the learned counsel for the applicants-original complainant.

2. Sessions Case No.680 of 2001 was decided by the learned 11th Ad-hoc Additional Sessions Judge at Sewree, Mumbai on 15/12/2005 and thereafter the application filed by the original complainant for release of the confiscated property came to be rejected under Section 454 of Cr.P.C. by the order dated 15/12/2005 and the said order was initially challenged before this court in Revision Application No. 261 of 2006, however,

the said revision came to be dismissed by this court on 24/11/2006 granting liberty to the applicants to avail other appropriate remedy and, therefore, an appeal has been filed against the order passed under Section 454 of Cr.P.C. As per the office report the appeal is beyond time by one year and 68 days and, therefore, this application for condonation of delay.

3. Having regards to the fact that Revision Application No.261 of 2006 was disposed off by this court on 24/11/2006 and this appeal has been filed on 4/3/2007, the delay caused deserves to be condoned.

4. Hence the application is allowed in terms of prayer clause (b).

(B.H. Marlapalle,J.)